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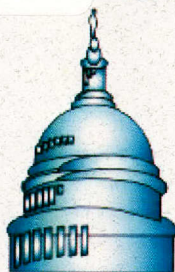
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UNIVERSITY OF TEXAS PAN AMERICAN  
EDINBURG, TEXAS 78539-2999

*Texas*  
*Veterans*  
*Commission*



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# PAMPHLET

No. 4

July/August 2005

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Federal & State of Texas  
**BURIAL BENEFITS**  
for Veterans,  
Dependents & Survivors

TEXAS STATE DOCUMENT  
UNIVERSITY OF TEXAS PAN AMERICAN  
EDINBURG, TEXAS 78539-2999



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THE UNIVERSITY OF TEXAS-PAN AMERICAN



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*Federal & State of Texas*  
**BURIAL BENEFITS**

**for Veterans,  
Dependents  
& Survivors**

# FOREWORD

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*Federal & State of Texas*  
**BURIAL BENEFITS**  
**for Veterans, Dependents**  
**& Survivors**

The information contained in this pamphlet is provided to assist you in understanding the Department of Veterans Affairs (VA) and State of Texas Burial Benefits for Veterans, Dependents & Survivors. The Texas Veterans Commission is committed to veteran's advocacy and in providing veterans with valuable information on all State and VA programs.

Burial benefits for veterans, dependents and survivors can include everything from reimbursement of burial expenses to obtaining headstones & markers to burial in a VA National Cemetery. Information regarding the newly constructed Central Texas State Cemetery is also included. This pamphlet contains information about all of these benefits and more, as well as information on how and where to apply for benefits.

Please contact the Texas Veterans Commission for assistance in filing a claim for burial benefits. You may call the Veterans Hotline at 1-800-252-VETS (8387) for the location and phone number of the TVC Counselor or Veterans County Service Officer in your area.



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*Federal & State of Texas*  
**BURIAL BENEFITS**  
**for Veterans, Dependents**  
**& Survivors**

***Eligibility for  
Federal Burial Benefits***

Veterans discharged under conditions other than dishonorable and servicemembers who die while on active duty may be eligible for the following burial benefits: (1) burial in a national cemetery; (2) government-furnished headstone or marker; (3) Presidential Memorial Certificate; (4) burial flag; and in some cases, (5) reimbursement of a portion of burial expenses. With certain exceptions, service beginning after September 7, 1980, as an enlisted person, and after October 16, 1981, as an officer, must be for a minimum of 24 consecutive months or the full period for which the person was called to active duty. Reservists and National Guard members are eligible if they were entitled to retired pay at the time of death, or would have been entitled had they not been under the age of 60.

Certain Filipino veterans of World War II, to include those who served in the Philippine Commonwealth Army (USAFFE) or recognized guerilla forces and New Philippine Scouts, may be eligible if the veteran, at the time of death, was a citizen of the United States or an alien lawfully admitted for permanent residence in the United States.

Persons convicted of a federal or state capital crime, and sentenced to death or life imprisonment without parole, are barred from receiving burial benefits. For additional information on burial benefits, call the nearest national cemetery or 1-800-827-1000, or visit: <http://www.cem.va.gov>.

***Reimbursement  
of Burial Expenses***

VA will pay a burial allowance up to \$2,000 if the veteran's death is service-connected. In some instances, VA also will pay the cost of

transporting the remains of a service-disabled veteran to the national cemetery nearest the home of the deceased that has available gravesites. In such cases, the person who bore the veteran's burial expenses may claim reimbursement from VA. There is no time limit for filing reimbursement claims in service-connected death cases.

VA will pay a \$300 burial and funeral expense allowance for veterans who, at time of death, were entitled to receive pension or compensation or would have been entitled to compensation but for receipt of military retirement pay. Eligibility also may be established when death occurs in a VA facility, a nursing home under VA contract or a state veterans nursing home. Additional costs of transportation of the remains may be paid. In nonservice-connected death cases, claims must be filed within two years after permanent burial or cremation.

VA will pay a \$300 plot allowance when a veteran is not buried in a cemetery that is under U.S. government jurisdiction under the following circumstances: the veteran was discharged from active duty because of disability incurred or aggravated in the line of duty; the veteran was in receipt of compensation or pension or would have been except for receiving military retired pay; or the veteran died in a VA facility. The \$300 plot allowance may be paid to the state if a veteran is buried without charge for the cost of a plot or interment in a state-owned cemetery reserved solely for veteran burials. Burial expenses paid by the deceased's employer or a state agency will not be reimbursed.

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## ***Military Funeral Honors***

The Department of Defense (DoD) provides military funeral honors at the burials of veterans. When requested, funeral honors can be given at any cemetery - private or government-operated. Most funeral directors make those arrangements with DoD on behalf of family members.

While military funeral honors are a long-standing tradition, it wasn't until 1999 that the rights of veterans and the responsibilities of the federal government were written into law. That law, which took effect January 1, 2000, was the National Defense Act of 2000 (Public Law 106-65).

Under the new law, at a family's request, every eligible veteran will receive military funeral honors, to include the presence of a military

funeral honors detail, which will oversee folding and presenting the U.S. flag and playing "Taps," either by a high-quality recording or by a bugler. The law defines a military funeral honors detail as consisting of two or more uniformed military persons, with at least one being a member of the veteran's branch of military service.

Funeral home directors must request military funeral honors from DoD, whether burial is in a national cemetery or another cemetery. The Department of Veterans Affairs (VA) staff at national cemeteries will help, when necessary, to facilitate a request to DoD for funeral honors at VA national cemeteries.

Veterans' organizations may provide military funeral honors or may assist the military members rendering the honors. When honors are desired at a national cemetery, they are arranged by the funeral home in advance of the committal service. A few VA national cemeteries are served by veterans groups that regularly provide funeral honors.

DoD maintains a military funeral honors web site at <http://www.militaryfuneralhonors.osd.mil>. Questions or comments concerning the program may be sent to this DoD address:

Department of Defense  
Directorate of Public Inquiry and Analysis  
Room 3A750, The Pentagon  
Washington, DC 20301-1400

## ***VA's Headstones and Markers***

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The Department of Veterans Affairs (VA) furnishes upon request, at no charge to the applicant, a headstone or marker for the grave of an eligible veteran in any cemetery around the world. For deaths that occurred before September 11, 2001, VA may furnish a headstone or marker only for graves that are not marked with a private headstone.

Headstones and markers are provided for eligible spouses and dependents of veterans only in national, military post or state veterans cemeteries. Spouses and dependents buried in private cemeteries are not eligible for a government headstone or marker.



Flat bronze, granite or marble markers and upright granite and marble headstones are available. The style chosen must be consistent with the cemetery's rules. VA national cemeteries order the style used in their cemeteries. Most VA national cemeteries use upright granite or marble headstones, which measure 42 inches in height and 13 inches in width. Niche markers are also available to mark columbaria used for inurnment of cremated remains.

## **Eligibility**

Any deceased veteran discharged from the U.S. armed forces under conditions other than dishonorable is eligible to receive a government headstone or marker. For enlisted persons whose service began after September 7, 1980, and for officers whose service began after October 17, 1981, service must have been for at least 24 months, or the period for which the person was called to active duty.

Members of the reserves and National Guard who die on active duty or while performing training duty may receive a headstone or marker. Reservists and National Guardsmen with 20 years service who are entitled to retired pay are also eligible. A copy of the Reserve Retirement Eligibility Benefits Letter must accompany the application. People who had only active duty for training while in the National Guard or reserves are not eligible unless there are special circumstances, such as death while on duty or as a result of training.

If the death occurred before September 11, 2001, by law VA may only furnish a headstone or marker if the grave is unmarked.

## **How to Order a Government Headstone or Marker**

When burial or memorialization is in a national, military post, or state veterans cemetery, cemetery staff will order a headstone or marker, using inscription information provided by the next of kin.

When burial is in a private cemetery, VA Form 40-1330, *Application for Standard Government Headstone or Marker*, must be submitted, along with a copy of the veteran's military discharge documents. Do not send original documents because they will not be returned.

Usually, funeral directors will obtain headstones or markers as part of their services. Applications and additional information may be obtained at any VA national cemetery or regional office or by calling 1-800-827-

1000. This form, VA Form 40-1330, is also available on VA's web site at <http://www.va.gov/hmorder.htm>; however, it cannot be submitted electronically. Completed applications may be faxed toll-free to 1-800-455-7143 or mailed to:

Memorial Programs Service (41A1)  
Department of Veterans Affairs  
5109 Russell Road  
Quantico, VA 22134-3903

## Inscriptions

Government-furnished headstones and markers must be inscribed with the legal name of the deceased, branch of service, and years of birth and death, in this order. Memorial markers must also include "*In Memory Of*" at the top. If space is available, the inscription may also contain any or all of the following: veteran's rank, war service, military decorations, awards and month and day of birth and death. All of these items must be inscribed in English.

Headstones and markers also may be inscribed with an approved "emblem of belief" such as a cross or Star of David. A listing of the emblems that may be inscribed is on the back of the application form and also appears on the VA Web site at <http://www.cem.va.gov>.

Additional personalized inscriptions such as terms of endearment ("beloved brother and son"; "loving wife and mother", etc.) and nicknames ("Poppy", "Funny Face", etc.) that meet acceptable standards of good taste may also be added. Affiliation with military components or organizations (Women's Army Corps, WAC, WAVES, etc.) or veterans groups or other inscriptions may be added at the bottom of the headstone or marker with VA's approval, if space is available and the requested inscription is respectful and in good taste.

Civilian titles such as Doctor or Reverend, or any other additions to the legal name, are not permitted on the mandatory name line of the headstone or marker, but may be added as part of the additional inscription at the bottom of the marker.

Non-English optional inscription items must be in Latin-alphabet characters and numerals. Accent marks and standard marks of punctuation may be used. Requests for an additional inscription in a

language other than English must include the English translation of the inscription.

No graphics (logos, symbols, etc.) are permitted on government headstones and markers other than approved emblems of belief, the Civil War Union Shield, the Civil War Confederate Southern Cross of Honor and the Medal of Honor insignia.

Documentation must be provided with *VA Form 40-1330* when requesting military awards in the inscription. In most cases this information is provided on the veteran's military discharge documents. Military awards and decorations besides those listed in Block 8 of the application (including those from foreign governments) may be added if space is available. They should be requested in Block 27. Awards and decorations will not be inscribed without documentation to support the request.

A veteran's spouse or other non-veteran dependent buried in a private cemetery is not eligible for a government headstone or marker. However, the applicant may reserve inscription space below the veteran's inscription so that the non-veteran dependent's commemorative data can be inscribed locally, at private expense, when the non-veteran dependent is buried. Alternatively, the non-veteran dependent's name and date of birth can be added at government expense if requested on the application for the veteran's headstone or marker. When the non-veteran dependent is buried, the date of death may then be added at private expense.

Inscriptions for a veteran's spouse or dependent are provided at no expense when they are buried in a national, military post or state veterans cemetery.

## **Checking Your Headstone or Marker Order Status**

It generally takes 30 to 60 days to process an application and have the headstone or marker produced and delivered. To check on the status, VA provides assistance toll-free at 1-800-697-6947 between 8:00 a.m. and 5:00 p.m. Monday through Friday ET. Applicants may also e-mail about the status of an order to [mps.headstones@va.gov](mailto:mps.headstones@va.gov). When inquiring by e-mail, be sure to include the veteran's full name, social security number (and/or service number), date of death and information about the

veteran's service that may be helpful in researching our records. Please allow at least three business days for a response. Our telephone and e-mail customer service representatives do not have access to information about other VA benefits. To inquire about other VA benefits, call 1-800-827-1000.

## **Shipping Government Headstones and Markers**

Government-furnished headstones and markers are shipped free of charge.

## **Setting Government Headstones and Markers**

Cemetery staff in national or military cemeteries will set the headstone or marker at no cost to the applicant. However, some state veterans' cemeteries and most private cemeteries charge a fee for setting a government headstone or marker. This is a non-reimbursable expense.

## **Replacement of Headstones and Markers**

Previously furnished headstones and markers may be replaced at government expense when badly deteriorated, illegible, vandalized or stolen. The government will also replace a headstone or marker if it is damaged, the inscription is incorrect, it is different from that specified by the applicant or permitted by the cemetery, or the material or workmanship are of poor quality.

If cemetery personnel damage a government headstone or marker located in a private cemetery, it should be replaced at the expense of the cemetery.

Marble or granite headstones or markers, permanently removed from a grave, must be destroyed until illegible and bronze markers must be returned to the manufacturer for recycling. (Please contact Memorial Programs Service at 1-800-697-6947 or by e-mail at [mps.headstones@va.gov](mailto:mps.headstones@va.gov) for guidance on returning bronze markers.)

## **Memorial Headstones and Markers**

Memorial headstones and markers are provided for deceased active-duty service members and veterans whose remains are not recovered or

identified, are buried at sea, donated to science or scattered after cremation. These headstones and markers – which can be for an individual or a group – bear an “*In Memory of*” inscription as their first line and must be placed in a recognized cemetery.

Memorial headstones and markers may also be furnished in national, military or state veterans’ cemeteries for eligible spouses or other dependents whose remains are unavailable for burial, whether or not they predecease the eligible veteran. They are not available for placement in private cemeteries.

## **Civil War-Era Headstones and Markers**

There are specific styles of upright headstones and flat markers to mark the graves of Union and Confederate Civil War and Spanish-American War dead.

Proof of military service before World War I requires documentation, such as muster rolls, extracts from state files, pension documents or land warrants, to apply for a government headstone or marker.

Memorial markers usually are not provided to memorialize Civil War soldiers whose graves are not identified. The mere fact that the whereabouts of a grave is not known is not sufficient reason to furnish a government headstone or marker. If, however, documentation shows a soldier was buried in a mass grave, even if the actual location of the grave is unknown, VA will provide a memorial marker for placement in a national, state veterans or private cemetery.

## ***Presidential Memorial Certificates***

Certificates signed by the president are issued upon request to recognize the military service of honorably discharged deceased veterans. Next of kin, other relatives and friends may request them in person at any VA regional office or by mail: Presidential Memorial Certificates, Department of Veterans Affairs, 5109 Russell Rd., Quantico, VA 22143-3909. There is no pre-printed form to complete or time limit for requesting a certificate(s), but requests should include a copy, not the original, of the deceased veteran’s discharge document and clearly

indicate to what address the certificate(s) should be sent. Additional information and a sample certificate can be found on the Internet: <http://www.cem.va.gov/pmc.htm>.

## ***Burial Flags***

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VA will furnish a United States burial flag for memorialization of:

1. Veterans who served during wartime, or served after January 31, 1955.
2. Veterans who were entitled to retired pay for service in the reserves, or would have been entitled to such pay but not for being under 60 years of age.
3. Members or former members of the Selected Reserve who served at least one enlistment or, in the case of an officer, the period of initial obligation, or were discharged for disability incurred or aggravated in line of duty, or died while a member of the Selected Reserve.

## ***Burial in VA National Cemeteries***

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VA provides veterans and dependents several gravesite options for burial, though choices are limited to those available at a specific cemetery. These may include a full casket burial, or columbarium or in-ground niche for cremated remains. A limited number of national cemeteries also provide a scatter garden for cremated remains.

The funeral director or the next of kin makes interment arrangements for an eligible veteran or dependent at the time of need by contacting the national cemetery in which burial is desired. VA normally does not conduct burials on weekends. However, weekend callers will be directed to a national cemetery that can schedule burials for the following week. Gravesites in national cemeteries cannot be reserved, however VA will honor reservations made under previous programs. See the VA Facilities section of this book to locate a national cemetery.

Spouses and dependent children of eligible veterans and servicemembers also may be buried in a national cemetery. If the surviving spouse of an eligible veteran remarries, and that marriage is terminated by death or dissolved by annulment or divorce, the surviving spouse is eligible for burial in a national cemetery. The surviving spouse need not be unmarried at the time of death to retain eligibility, if the date

of death is on or after January 1, 2000. Burial of dependent children is limited to unmarried children under 21 years of age, or under 23 years of age if pursuing a full-time course of instruction at an approved educational institution. Unmarried adult children who became physically or mentally disabled and incapable of self-support before reaching the age of 21, or 23 if a full-time student, also are eligible for burial.

## **Veterans' Cemeteries Administered by Other Agencies**

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### **Arlington National Cemetery:**

The Department of the Army administers Arlington National Cemetery. Eligibility for burial is more restrictive than at VA national cemeteries. Information may be found on the Internet at: <http://www.arlingtoncemetery.org> or by writing/calling:

Superintendent  
Arlington National Cemetery  
Arlington, VA 22211  
703-607-8585.

### **Department of the Interior:**

The Department of the Interior administers two active national cemeteries: Andersonville National Cemetery in Georgia and Andrew Johnson National Cemetery in Tennessee. Eligibility for burial is similar to VA cemetery eligibility.

### **State Veterans Cemeteries:**

Individual states operate cemeteries for veterans. Eligibility requirements may differ from those for national cemeteries. Contact the state cemetery or state veterans affairs office for additional information. To locate a state veteran's cemetery, visit the Internet: <http://www.cem.va.gov/lsvc.htm>.

## **Texas State Veterans Cemetery Program**

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In the November 2001 statewide elections, voters overwhelmingly approved Proposition 7, a constitutional amendment that authorized the

creation of up to seven state cemeteries for veterans and their eligible dependents. The cemeteries will be built and operated through a partnership between the Texas Veterans Land Board (VLB) and the Department of Veterans Affairs (VA). Through a grant the VA will fund up to 100 percent of the construction and equipment costs. The state will own and operate the cemeteries and fund most of the cost of operations. Two sites were initially identified for development: Killeen in Bell County and Central Texas; and Mission in Hidalgo County and South Texas. On June 26, 2003, the VLB formally named the Killeen site for the geographic area in which it will honor Texas veterans.

The Killeen site will be named the **Central Texas State Veterans Cemetery**. The VA construction grant for the Killeen site was approved on December 30, 2003. Construction began in March 2004 and is expected to be completed in late 2005.

The Central Texas State Veterans Cemetery in Killeen is 174 acres and will be capable of providing approximately 50,000 burial places for veterans, their spouses, and eligible dependent children. Construction will be accomplished in phases, with phase I covering approximately 62 acres, including an information center, administration building, committal shelter, columbarium for approximately 1,100 cremated remains, and an assembly area for ceremonies, as well as approximately 6,500 in-ground burial places. Phase II will be implemented when there is a need for additional burial sites.

The Mission site is 75 acres and will provide approximately 26,000 burial places. The initial phase of construction in Mission will cover 32 acres and involve approximately 5,000 total interment sites. The Mission site is currently in the design phase of development. Construction is scheduled to begin in the summer of 2005 and final completion is expected in 2007.

### **Future Cemetery Locations**

On August 26, 2004 the Texas State Veterans Cemetery Committee selected Abilene to be the third location for development of a Texas State Veterans Cemetery (TSVC). The initial application for construction grant funding has been approved by the VA. Design of the Abilene veterans' cemetery site will begin in the fall of 2005. If the construction grant is approved as expected, construction could begin by the summer or fall 2006 and be completed in 2008.



The VLB will continue to look for suitable cemetery sites in areas with large veterans' populations that are not served by other National or TSVC. Up to seven TSVC's are planned to augment the four National Cemeteries in Texas.

### **Eligibility and Burial Benefits**

Eligibility rules and burial benefits for TSVC's are the same as for National Cemeteries. Please contact the VLB at 1-800-252-VETS (8387) for additional information or visit the Texas Veterans Land Board website for updates at <http://www.glo.state.tx.us/vlb/cemetery/index.html>.







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**VETERANS' HOTLINE: 1-800-252-VETS (8387)**

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